

1 Rena Andoh (admitted *pro hac vice*)  
2 randoh@sheppardmullin.com.com  
3 **SHEPPARD, MULLIN, RICHTER &**  
4 **HAMPTON LLP**

30 Rockefeller Plaza  
New York, NY 10112  
Telephone: (212) 653-8700  
Facsimile: (212) 653-8701

6 Lai L. Yip (SBN 258029)  
7 lyip@sheppardmullin.com  
8 Four Embarcadero Center, 17<sup>th</sup> Floor  
9 San Francisco, CA 94111  
10 Telephone: (415) 434-9100  
11 Facsimile: (415) 434-3947

12 Travis J. Anderson (SBN 265540)  
13 tanderson@sheppardmullin.com  
14 12275 El Camino Real, Suite 100  
15 San Diego, CA 92130  
16 Telephone: (858) 720-8900  
17 Facsimile: (858) 509-3691

18 Kazim A. Naqvi (SBN 300438)  
19 knaqvi@sheppardmullin.com  
20 1901 Avenue of the Stars, Suite 1600  
21 Los Angeles, CA 90067  
22 Telephone: (310) 228-3700  
23 Facsimile: (310) 228-3701

24 Attorneys for Plaintiff and  
25 Counterdefendant Moog Inc.

26 **UNITED STATES DISTRICT COURT**  
27 **CENTRAL DISTRICT OF CALIFORNIA**

28 MOOG INC.,

Plaintiff,

v.

SKYRYSE, INC., ROBERT  
ALIN PILKINGTON, MISOOK  
KIM, and DOES NOS.1-50,

Defendants.

Case No. 2:22-cv-09094-GW-MAR

**[PROPOSED] ORDER GRANTING  
PLAINTIFF MOOG INC.'S MOTION  
TO ENFORCE COMPLIANCE WITH  
THE MARCH 11, 2022 STIPULATED  
TRO (DKT. 25), AND FOR  
MONETARY AND ADVERSE  
INFERENCE SANCTIONS FOR  
CONTEMPT AND SPOILIATION**

1 The Court, having considered Moog, Inc.'s ("Moog") Motion To Enforce  
2 Compliance with the March 11, 2022 Stipulated Temporary Restraining Order (Dkt.  
3 25), and for Monetary and Adverse Inference Sanctions for Contempt and Spoliation  
4 (the "Motion") along with other documents in support of and in opposition to the  
5 Motion, being fully advised in the matter, and good cause appearing, hereby

6 **ORDERS THAT:**

- 7 1. Moog's Motion is GRANTED;
- 8 2. The Court will issue an adverse inference for defendant Skyryse, Inc.'s  
9 permanent spoliation of 32 potentially relevant files, in the form of an  
10 instruction to the jury at any trial that the deleted files were unfavorable  
11 to Skyryse, and also that Moog is permitted to address the spoliation at  
12 trial;
- 13 3. Within 30 days of the Court's order, Moog's experts shall conduct a  
14 physical inspection of Skyryse's systems and electronic devices in  
15 Skyryse's offices on a mutually agreeable week to identify any  
16 remaining Moog non-public information on Skyryse's systems;
- 17 4. Within 14 days of the Court's order:
  - 18 • Skyryse shall produce all Skyryse-issued electronic devices  
19 issued to Lori Bird, Chris Smith, Hussein Khimji, Stephen Wang,  
20 Ian Young, Reid Raithel, Ilan Paz, Norman Butler, Amir  
21 Hallajpour, Diane Li, Paul Kapuan, David Lee, Mario Brenes,  
22 Glenn Shintaku, and Thusa Dinh;
  - 23 • Skyryse shall produce Skyryse's Google Drive Account;
  - 24 • Skyryse shall permit Moog's inspection of Skyryse's Polarion  
25 Repository;
  - 26 • Skyryse shall permit inspection of Skyryse's flight control  
27 software source code, updated through the date of this Order; and
  - 28 • Skyryse shall produce defendant Misook Kim's Mac Laptop.

